

# BLANKET PURCHASE ORDER

## STATE OF MARYLAND

\*\*\*\*\* STATE OF MARYLAND \*\*\*\*\*

BPO NO: 001B2400209

PRINT DATE: 03/21/12

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### SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

**VENDOR ID:** 1521838805

FREDERICK ASPHALT LLC

850 EAST GUDE DR

STE A

ROCKVILLE, MD

(301 ) 652-2400 EXT 195

20850

### REFER QUESTIONS TO:

WALTER JOHNSON

(410 ) 767-4605

WALTER.JOHNSON@DGS.STATE.MD.US

### ITB:

**EXPR DATE:** 11/30/13

**POST DATE:** 12/01/11

**DISCOUNT TERMS:** .

**CONTRACT AMOUNT:**

NET 30 DAY

.00

### TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

VENDOR TELEPHONE NUMBER: (301) 652-2400

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### AGENCY CONTRACT

F O R

HOT MIX ASPHALT

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A DESIGNATED AGENCY ONLY: STATE HIGHWAY ADMINISTRATION

CONTRACT SCOPE: THIS AGENCY CONTRACT DOES NOT OBLIGATE THE STATE OF MARYLAND TO PURCHASE ANY MINIMUM OR MAXIMUM QUANTITY THRU THE CONTRACT PERIOD. ORDERS FOR ACTUAL REQUIREMENTS MAY BE MORE OR LESS THAN LISTED. ORDERS AS REQUIRED WILL BE PLACED DIRECT TO THE SUPPLIER BY THE USING AUTHORITIES INDICATING DELIVERY AND BILLING INSTRUCTIONS.

CONTRACT PERIOD: DATE OF AWARD THRU NOVEMBER 30, 2013 (2 YEARS) WITH THREE TWO YEAR RENEWAL OPTIONS. THIS IS THE FIRST RENEWAL.

ORDER PROCEDURE: USING AGENCY SHALL ISSUE A PURCHASE ORDER TO THE VENDOR FOR INVENTORY COMMODITIES COVERED BY THIS CONTRACT. THE VENDOR MUST ACCEPT THE MARYLAND CORPORATE PURCHASING CARD WITHIN THE PROCUREMENT OFFICER'S LIMITS FOR PURCHASES NOT EXCEEDING \$5,000.00.

AGENCY PICK-UP: ALL MATERIAL WILL BE PICKED UP BY THE USING AGENCIES, F.O.B. POINT OF ORIGIN INCLUDING THE COST OF LOADING MATERIALS INTO

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### TERMS (cont'd):

USING AGENCIES TRUCKS. THE SUPPLIER SHALL SUPPLY A CERTIFIED MULTI-PART DELIVERY TICKET WHICH INCLUDE THE ADDRESS OF THE PURCHASING AGENCY, FACILITY, I.D. NUMBER, CONTRACT NUMBER, SHA MIX DESIGN NUMBER, DATE & TIME LOADED, GROSS AND TARE WEIGHTS, AND NET WEIGHT OF THE MIX FOR EACH LOAD.

TAXES: THE STATE OF MARYLAND IS EXEMPT FROM FEDERAL AND STATE TAXES AND WILL NOT PAY OR REIMBURSE SUCH TAXES.

USAGE REPORT: A REPORT MUST BE FURNISHED BY THE SUCCESSFUL VENDOR ANNUALLY DETAILING THE PURCHASE OF ALL ITEMS ON THE CONTRACT INCLUDING PROCUREMENT CARD ORDERS. THE REPORT MUST BE FILED WITHIN TEN (10) DAYS BEFORE THE END OF REPORTING PERIOD TO THE USING AGENCY AND DGS. MAILED TO: DEPARTMENT OF GENERAL SERVICES  
OFFICE OF PROCUREMENT & LOGISTICS  
ATTN: WALTER JOHNSON  
301 W. PRESTON STREET, ROOM M-3  
BALTIMORE, MD 21201

QUALITY: THIS CONTRACT WILL BE CANCELLED UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.

OPEN MARKET CLAUSE: THE USING AGENCY MAY PURCHASE ON THE OPEN MARKET WITHOUT THE FILING OF A REQUISITION IF VENDOR DOES NOT PERFORM WITHIN THE CONTRACT TERMS AND CONDITIONS. VENDOR WILL BE RESPONSIBLE FOR THE DIFFERENCE IN COST BETWEEN OPEN MARKET PRICING AND CONTRACT PRICING.

CONTRACT ACCEPTANCE: BY SUBMITTING A BID THE VENDOR AGREES TO COMPLY WITH THE TERMS AND CONDITIONS OF THE CONTRACT CONTAINED HEREIN.

WARRANTY: THE SELLER EXPRESSLY WARRANTS THE GOODS COVERED BY THIS ORDER TO CONFORM TO THE SPECIFICATIONS. THE SELLER WILL GUARANTEE TO THE WARRANTED AGAINST DEFECTS IN MATERIAL AND WORKMANSHIP, AND THE PRODUCT IS FIT FOR THE INTENDED PURPOSE FOR THE PERIOD SPECIFIED BY THE MANUFACTURER. ITEMS DELIVERED UNDER THIS CONTRACT SHALL BE NEW, OR LATEST MODEL EQUIPMENT, USED, REFURBISHED OR REMANUFACTURED EQUIPMENT SHALL NOT BE ACCEPTED.

THIS QUOTATION IS SUBMITTED WITH THE UNDERSTANDING THAT THE VENDOR SHALL COMPLY WITH ALL FEDERAL AND STATE OSHA REGULATIONS, STATE OF MARYLAND PROCUREMENT REGULATIONS IN EFFECT AT THE TIME OF SUBMISSION AND THE INSTRUCTIONS PROVIDED HEREIN.

HOT MIX PLANT LOCATION:

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TERMS (cont'd):

FREDERICK ASPHALT COMPANY, LLC  
4120 BUCKEYSTOWN PIKE  
FREDERICK, MD 21701  
(301) 831-8094

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0001	74521	EA	101.7500

ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS  
4.75 MM PG 64-22 LEVEL 2

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0002	74521	EA	77.8000
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ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS  
9.5 MM PG 64-22 LEVEL 2

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0003	74521	EA	72.7400
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ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS  
12.5 MM PG 64-22 LEVEL 2

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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0004	74521	EA	67.2700

ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS  
19.0 MM PG 64-22 LEVEL 2

0005	74521	EA	64.1300
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ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS  
25.0 MM PG 64.22 LEVEL 2

0006	74507-700004	GL	70.0000
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ASPHALT, EMULSIFIED (WITH LATEX / POLYMER). EMULSIFIED ASPHALT (SHA  
APPROVED) FOR USE AS A TACK COAT THAT IS APPROPRIATE FOR THE ABOVE  
MIXES AND MEETS SEASONAL REQUIREMENTS IN 5 GALLON CONTAINERS

END OF ITEM LIST

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL  
INVOICES. FAILURE TO DO SO MAY RESULT IN DELAY OF PAYMENT.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE  
SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, RECYCLABLE,  
AND/OR BIODEGRADABLE MATERIALS.

THE CONTRACTOR WARRANTS THAT THE CONTRACTOR SHALL COMPLY WITH COMAR  
21.11.08. DRUG AND ALCOHOL FREE WORKPLACE, AND THAT THE CONTRACTOR  
SHALL REMAIN IN COMPLIANCE THROUGHOUT THE TERM OF THIS PURCHASE ORDER.

STATE FEDERAL TAX IDENTIFICATION NUMBER: 52-1838805

STATE PHONE NUMBER FOR PLACING ORDER; (301) 652-2400 EXT: 195

STATE VENDOR CONTACT PERSON: DANIEL FEMIANO

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AUTHORIZED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

BUYER AUTHORIZED DESIGNEE